

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

ELIZABETH PANZARELLA and JOSHUA
PANZARELLA, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

NAVIENT SOLUTIONS, LLC,

Defendant.

Case No. 2:18-cv-03735-PBT

**DEFENDANT’S RESPONSE TO PLAINTIFFS’ MOTION TO EXTEND DEADLINE TO
RESPOND TO DEFENDANT’S MOTION FOR SUMMARY JUDGMENT**

Defendant, Navient Solutions, LLC (“NSL”), submits this Response to Plaintiffs’ Motion to Extend their Deadline to Respond to NSL’s Motion for Summary Judgment (the “Motion”) and states as follows:

When Plaintiff first asked that NSL agree to an extension, the request was for an additional 30 days and the reason was simply “the holidays.” Then, upon review of the Court’s Summary Judgment Procedure -- which provided them until January 2, 2020 to submit their response to the Motion for Summary Judgment -- Plaintiffs amended their request to provide for 18 additional days, but without further explanation. In the Motion, for the first time, Plaintiffs reference their purported need to undertake a detailed analysis of NSL’s dialing system and their expert disclosure deadline of December 27, 2019 (this matter involves claims under the Telephone Consumer Protection Act).

Plaintiffs now ask this Court for a total of 39 days to respond to NSL’s Motion for Summary Judgment, but their Motion, which lacks meaningful detail, does not demonstrate good cause for such a lengthy response period. Furthermore, it is inaccurate for Plaintiffs to contend

that they provided NSL with six extensions to respond to their first Motion to Compel. As set forth in significant detail in NSL's Motion for Reconsideration [Dkt. 47] and its Response to Plaintiffs' Second Motion to Compel [Dkt. 53], NSL was forced to submit *stipulations* for extensions after engaging in a mostly single-handed effort to resolve the parties' discovery dispute, and the Court then denied the Motion to Compel almost entirely. Moreover, in connection with Plaintiffs' Second Motion to Compel, NSL did not request any extension whatsoever. At this juncture, NSL objects to the extensions sought by Plaintiffs as disproportionate and only serving to further delay this proceeding unnecessarily.

DATED: December 19, 2019

GREENBERG TRAURIG, LLP

By /s/ Lisa M. Simonetti

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the date below I electronically filed the foregoing Response with the Clerk of the Court using CM/ECF which will send electronic notification via the Court's ECF system to all CM/ECF participants.

Dated: December 19, 2019

/s/ Lisa M. Simonetti
Lisa M. Simonetti